

REMARKS

Reconsideration of the present patent application is respectfully requested.

At the present time, claims 1-16 stand rejected based upon two prior art patents selected by the Examiner. More specifically, claims 1-6, 9-11, and 13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Garrett et al. Claims 7, 8, 12, and 14-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Garrett et al. in view of Langman et al.

After reviewing the manner in which the Examiner has elected to utilize the Garrett et al. and Langman et al. patents, Applicants believe that claims 1-13, as presently drafted, should be allowed. Claim 14 has been amended and, in the amended form, claims 14-16 should be allowed.

With regard to independent claim 1, the Examiner has selected “collar” 100 as the component of Garrett et al. corresponding to the recited “inlet cover plate”. Whether or not there is a structural difference between a “collar” and a “plate”, the corresponding structural relationships between Garrett et al. and Applicants’ claimed invention are significantly different. Applicants recite that their inlet cover plate surrounds the outlet elbow so as to define an air inlet passage. Interpreting claim 1 in view of the specification, it is clear that annular ring corridor 48 is defined by the concentric arrangement of conduit 31b and sleeve 30b, see page 10, lines 4-6. In Garrett et al., the collar 100 fits closely (line-to-line) inside exhaust pipe 104. The totality of the Garrett et al. specification regarding collar 100 and its relationship to any other components states:

“Collar 100 is used to interface with an exhaust pipe 104 (FIGS. 1 and 2) communicating with vent pipe opening 92.”

Since collar 100 does not “surround” exhaust pipe 104 (note: it is inside), Garrett et al. does not read on nor anticipate the claimed invention as recited in independent claim 1. Further, if there was an air inlet passage defined by collar 100 and pipe 104, and there is none, the air would pass to the outside of apparatus 10 and would never be able to flow to the inside of apparatus 10, as the phrase “air inlet” would denote and require.

The obvious multiple deficiencies of Garrett et al. are not corrected nor supplemented by Langman et al. The numerous structural differences between what Applicants claim and what is disclosed in Langman et al. supports the Examiner’s limited use of Langman et al. That use is limited to its disclosure of an approximately 45 degree angle on the elbow. Nothing else is similar.

Independent claim 14 has been amended to include the inlet cover plate and its cooperation with the outlet elbow conduit to define an air inlet passage. This structural element and its relationship to the outlet elbow conduit are aspects of Applicants’ claimed invention that are not found in any form in either Garrett et al. or Langman et al.

In view of the remarks offered in this response directed to Garrett et al. and Langman et al., it is submitted that claim 14, as amended, is patentable. Similar remarks

apply to independent claim 1 and accordingly, claims 1-16 are in condition for allowance and such action by the Examiner is respectfully requested.

Respectfully submitted,

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